

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

UNITED ROAD SERVICES, INC.

and

Case 3-CA-27784

TEAMSTERS LOCAL UNION NO. 294

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-560196 and subpoena ad testificandum A-867589 is denied. The subpoenas seek information relevant to the matter under investigation and describe with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).²

Dated, Washington, D.C., March 7, 2011

CRAIG BECKER,	MEMBER
MARK GASTON PEARCE,	MEMBER
BRIAN E. HAYES,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² Member Hayes joins in denying the petition to revoke the subpoena duces tecum. With respect to the subpoena ad testificandum, he would hold the petition in abeyance for thirty days to provide the Region an opportunity to file a supplemental opposition explaining what further evidence is necessary to determine if a complaint should issue, and why such evidence can only be obtained through the affidavit of the Employer's agent and/or supervisor.